

**REMARKS**§112 Rejection of Claims 29-43

1. Applicant has amended the preamble of independent claims 29 and 38 to refer to a method of certifying cattle for a cattle auction.

§103 Rejection of Claims 1 and 16 and dependent claims 2-15 and 17-28

2. Applicant respectfully traverses the rejection of Claims 1 and 16 based on Curkendall. Curkendall does not disclose an automated method for conducting a cattle auction. Curkendall does not disclose providing a seller with guidelines for processing an animal prior to an auction. Curkendall does not disclose providing a seller with a visual identification tag or a data card prior to the auction. Curkendall does not disclose providing the seller with a sales certification form prior to the auction. Curkendall does not disclose receiving an animal into auction barn facility and providing seller with a receipt for said animal. Curkendall does not disclose recording buyer data preparing a check for the seller or preparing an invoice for the buyer.
3. The references of Cobb and Curkendall and Shkedy and Curkendall are not reasonably combined. Curkendall relates to a method and apparatus for livestock data collection and management (Abstract). Cobb relates to a method for encouraging purchasers of pets or other types of animals to register animals with a genealogical or breed registry (Abstract). Shkedy describes systems and methods for providing a global bi-lateral buyer-driven system for creating binding contracts. (Abstract) Neither Cobb nor Shkedy relate to livestock auctions.
4. Even if Cobb were reasonably combined with Curkendall, Cobb teaches away from the claims of the current invention in the manner and timing of the registration; in the assignment of a registration number; and in the type of information required for registration. Cobb teaches collecting sire and dam information [9:39], but does not teach collecting other background or processing information for an animal prior to sale. Cobb describes “a method for encouraging purchasers of pets to register the

animals “ (Abstract) and “providing a purchaser, at the time of purchase, an application form for registration of the animal (Abstract) ...” “Upon receipt of the application, the registry assigns a registration number to the animal ...” [Abstract] Cobb does not present “guidelines for processing an animal”, and the registration appears to be based entirely on breed. In the present invention, the seller of the cattle has effectively identified and registered the animal prior to the sale. In the present invention, a benefit to the buyer is the certification by the seller that the guidelines for processing an animal have been fulfilled. Cobb teaches collecting sire and dam information [9:39], but does not teach collecting other background or processing information for an animal prior to sale.

5. Shkedy teaches away from the claims of the current invention. The patent discloses “a method for using a computer acting as an intermediary to facilitate a transaction between a plurality of buyers and at least one seller”. [3:39-41] A buyer’s conditional purchase offer is “combined into a pooled purchase order with other buyers.” [3:49-50]
6. Applicant respectfully traverses the rejection of Claims 2-15 which are dependent upon Claim 1 which should be allowable.
7. Applicant respectfully traverses the rejection of Claims 17-28 which are dependent upon Claim 16 which should be allowable.

#### §103 Rejection of Claims 29-43

8. Applicant respectfully traverses the rejection of Claims 29-43 based on Curkendall in view of Cobb. Curkendall does not disclose a method for conducting a cattle auction. Curkendall does not disclose providing a seller with a plurality of required guidelines for processing at least one animal prior to said auction. As noted by the examiner, Curkendall does reference events related to recording an animal’s health (11:16-17), weaning (12:30), and vaccination (12:66-67), however, Curkendall does

not teach recording these events as part of a certification process for a livestock auction. Curkendall does not disclose processing a complete and signed certification form which certifies that said at least one animal was processed in accordance with said required processing guidelines. Cobb (at 9:32 to 10:62) discloses a litter registration application which appears to be solely concerned about pedigree information. Cobb does not disclose guidelines comprising: at least one required vaccination, at least one required treatment to said animal, at least one required health record, or a required weaning date for said at least one animal that is a least forty five days prior to said auction

9. The references of Cobb and Curkendall are not reasonably combined. Curkendall relates to a method and apparatus for livestock data collection and management (Abstract). Cobb relates to a method for encouraging purchasers of pets or other types of animals to register animals with a genealogical or breed registry (Abstract). Cobb does not relate to livestock auctions.
10. Even if Cobb were reasonably combined with Curkendall, Cobb teaches away from the claims of the current invention in the manner and timing of the registration; in the assignment of a registration number; and in the type of information required for registration. Cobb teaches collecting sire and dam information [9:39], but does not teach collecting other background or processing information for an animal prior to sale. Cobb describes “a method for encouraging purchasers of pets to register the animals “ (Abstract) and “providing a purchaser, at the time of purchase, an application form for registration of the animal (Abstract) ...” “Upon receipt of the application, the registry assigns a registration number to the animal ...” [Abstract] Cobb does not present “guidelines for processing an animal”, and the registration appears to be based entirely on breed. In the present invention, the seller of the cattle has effectively identified and registered the animal prior to the sale. In the present invention, a benefit to the buyer is the certification by the seller that the guidelines for processing an animal have been fulfilled. Cobb teaches collecting sire and dam



information [9:39], but does not teach collecting other background or processing information for an animal prior to sale.

11. Applicant urges that all claims are in condition for allowance.

Thank you for your continued assistance in this application.

Dated: October 23, 2003

Respectfully submitted,

Rick B. Yeager  
Attorney at Law  
10805 Mellow Lane  
Austin, Texas 78759  
Registration No. 39,434  
Telephone (512) 918-1237  
Facsimile (512) 918-1238  
No. of Application 09/492,961